

PATENT COOPERATION TREATY

PCT

INTERNATIONAL PRELIMINARY REPORT ON PATENTABILITY

(Chapter I of the Patent Cooperation Treaty)

(PCT Rule 44*bis*)

Applicant's or agent's file reference IGT1P145.WO	FOR FURTHER ACTION	See item 4 below
International application No. PCT/US2005/011217	International filing date (<i>day/month/year</i>) 30 March 2005 (30.03.2005)	Priority date (<i>day/month/year</i>) 02 April 2004 (02.04.2004)
International Patent Classification (8th edition unless older edition indicated) See relevant information in Form PCT/ISA/237		
Applicant IGT		

1.	This international preliminary report on patentability (Chapter I) is issued by the International Bureau on behalf of the International Searching Authority under Rule 44 <i>bis</i> .1(a).																								
2.	This REPORT consists of a total of 7 sheets, including this cover sheet. In the attached sheets, any reference to the written opinion of the International Searching Authority should be read as a reference to the international preliminary report on patentability (Chapter I) instead.																								
3.	<p>This report contains indications relating to the following items:</p> <table style="width: 100%;"> <tr> <td style="width: 10%; text-align: center;"><input checked="" type="checkbox"/></td> <td style="width: 30%;">Box No. I</td> <td style="width: 80%;">Basis of the report</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. II</td> <td>Priority</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. III</td> <td>Non-establishment of opinion with regard to novelty, inventive step and industrial applicability</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. IV</td> <td>Lack of unity of invention</td> </tr> <tr> <td style="text-align: center;"><input checked="" type="checkbox"/></td> <td>Box No. V</td> <td>Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VI</td> <td>Certain documents cited</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VII</td> <td>Certain defects in the international application</td> </tr> <tr> <td style="text-align: center;"><input type="checkbox"/></td> <td>Box No. VIII</td> <td>Certain observations on the international application</td> </tr> </table>	<input checked="" type="checkbox"/>	Box No. I	Basis of the report	<input type="checkbox"/>	Box No. II	Priority	<input type="checkbox"/>	Box No. III	Non-establishment of opinion with regard to novelty, inventive step and industrial applicability	<input type="checkbox"/>	Box No. IV	Lack of unity of invention	<input checked="" type="checkbox"/>	Box No. V	Reasoned statement under Article 35(2) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement	<input type="checkbox"/>	Box No. VI	Certain documents cited	<input type="checkbox"/>	Box No. VII	Certain defects in the international application	<input type="checkbox"/>	Box No. VIII	Certain observations on the international application
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4.	The International Bureau will communicate this report to designated Offices in accordance with Rules 44 <i>bis</i> .3(c) and 93 <i>bis</i> .1 but not, except where the applicant makes an express request under Article 23(2), before the expiration of 30 months from the priority date (Rule 44 <i>bis</i> .2).																								

The International Bureau of WIPO 34, chemin des Colombettes 1211 Geneva 20, Switzerland Facsimile No. +41 22 338 82 70	<table border="1" style="width: 100%; border-collapse: collapse;"> <tr> <td style="padding: 5px;">Date of issuance of this report 04 October 2006 (04.10.2006)</td> </tr> <tr> <td style="padding: 5px;"> Authorized officer <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Simin Baharlou</div> </td> </tr> <tr> <td style="padding: 5px;">e-mail: pt09@wipo.int</td> </tr> </table>	Date of issuance of this report 04 October 2006 (04.10.2006)	Authorized officer <div style="text-align: center; font-weight: bold; font-size: 1.2em;">Simin Baharlou</div>	e-mail: pt09@wipo.int
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e-mail: pt09@wipo.int				

PATENT COOPERATION TREATY

REC'D 21 JUL 2005

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From the
INTERNATIONAL SEARCHING AUTHORITY

PCT

To:

see form PCT/ISA/220

WRITTEN OPINION OF THE INTERNATIONAL SEARCHING AUTHORITY (PCT Rule 43bis.1)

Date of mailing
(day/month/year) see form PCT/ISA/210 (second sheet)

Applicant's or agent's file reference
see form PCT/ISA/220

FOR FURTHER ACTION
See paragraph 2 below

International application No.
PCT/US2005/011217

International filing date (day/month/year)
30.03.2005

Priority date (day/month/year)
02.04.2004

International Patent Classification (IPC) or both national classification and IPC
G07F17/32

Applicant
IGT

1. This opinion contains indications relating to the following items:

- ☒ Box No. I Basis of the opinion
- ☐ Box No. II Priority
- ☐ Box No. III Non-establishment of opinion with regard to novelty, inventive step and industrial applicability
- ☐ Box No. IV Lack of unity of invention
- ☒ Box No. V Reasoned statement under Rule 43bis.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement
- ☐ Box No. VI Certain documents cited
- ☐ Box No. VII Certain defects in the international application
- ☐ Box No. VIII Certain observations on the international application

2. FURTHER ACTION

If a demand for international preliminary examination is made, this opinion will usually be considered to be a written opinion of the International Preliminary Examining Authority ("IPEA"). However, this does not apply where the applicant chooses an Authority other than this one to be the IPEA and the chosen IPEA has notified the International Bureau under Rule 66.1bis(b) that written opinions of this International Searching Authority will not be so considered.

If this opinion is, as provided above, considered to be a written opinion of the IPEA, the applicant is invited to submit to the IPEA a written reply together, where appropriate, with amendments, before the expiration of three months from the date of mailing of Form PCT/ISA/220 or before the expiration of 22 months from the priority date, whichever expires later.

For further options, see Form PCT/ISA/220.

3. For further details, see notes to Form PCT/ISA/220.

Name and mailing address of the ISA:



European Patent Office - P.B. 5818 Patentlaan 2
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**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/011217

Box No. I Basis of the opinion

1. With regard to the **language**, this opinion has been established on the basis of the international application in the language in which it was filed, unless otherwise indicated under this item.
 - ☐ This opinion has been established on the basis of a translation from the original language into the following language , which is the language of a translation furnished for the purposes of international search (under Rules 12.3 and 23.1(b)).
2. With regard to any **nucleotide and/or amino acid sequence** disclosed in the international application and necessary to the claimed invention, this opinion has been established on the basis of:
 - a. type of material:
 - ☐ a sequence listing
 - ☐ table(s) related to the sequence listing
 - b. format of material:
 - ☐ in written format
 - ☐ in computer readable form
 - c. time of filing/furnishing:
 - ☐ contained in the international application as filed.
 - ☐ filed together with the international application in computer readable form.
 - ☐ furnished subsequently to this Authority for the purposes of search.
3. ☐ In addition, in the case that more than one version or copy of a sequence listing and/or table relating thereto has been filed or furnished, the required statements that the information in the subsequent or additional copies is identical to that in the application as filed or does not go beyond the application as filed, as appropriate, were furnished.
4. Additional comments:

**WRITTEN OPINION OF THE
INTERNATIONAL SEARCHING AUTHORITY**

International application No.
PCT/US2005/011217

Box No. V Reasoned statement under Rule 43*bis*.1(a)(i) with regard to novelty, inventive step or industrial applicability; citations and explanations supporting such statement

1. Statement

Novelty (N)	Yes: Claims	1-26
	No: Claims	
Inventive step (IS)	Yes: Claims	
	No: Claims	1-26
Industrial applicability (IA)	Yes: Claims	1-26
	No: Claims	

2. Citations and explanations

see separate sheet

Re Item V

**Reasoned statement with regard to novelty, inventive step or industrial applicability;
citations and explanations supporting such statement**

1. State of the art

Reference may be made to the following documents:

- D1: WO 02/058020 A (IGT-UK LIMITED; RUTANEN, TUOMO; UPLINGER, DREW; NORMAN, CHRISTOPHER) 25 July 2002 (2002-07-25)
D2: US 2004/048667 A1 (ROWE RICK) 11 March 2004 (2004-03-11)

2. Inventive step -- Articles 33(1) and 33(3) PCT

The present application does not meet the criteria of Article 33(1) PCT, because the subject matter of independent claim 1 is not inventive in the sense of Article 33(3) PCT.

- 2.1** Document D1 is regarded as being the closest prior art to the subject matter of claim 1. In terms of claim 1, document D1 discloses (the references in parentheses applying to this document):

A communication and data transfer system for gaming establishments having a plurality of gaming machines arranged in proximity to each other (please cf. page 2, lines 7 - 15), said system comprising a hand held portable transponder adapted to transmit and receive modulated electromagnetic radiation over a range, said transponder further comprising a display device and an input mechanism (please cf. page 4, lines 3 - 8), and each of said gaming machines a communication module connected to a master gaming controller of each of said gaming machines (please cf. page 2, lines 7 - 15) whereby identification and control signals for a specific one or ones of said plurality of adjacent gaming machines can be input to, and sent from, said transponder to the master gaming controller of the selected gaming machines and in reply thereto, status data of said selected gaming machines can be sent to, or overwritten by, said transponder and wherein the master gaming controller controls the games played on said gaming machine (please cf. page 1, lines 15 - 20; page 6,

lines 13 - 17).

The following feature is neither directly nor indirectly derivable from document D1:

- the hand held transponder is adapted to transmit and receive signals over a **limited range which approximates to only the linear distance occupied by said gaming machines** (emphasis added)

However, were the person skilled in the art of the opinion that the transponder should transmit and receive signals over a limited range (for instance because of obvious reasons such as interference of security issues) he would, without having to exercise any inventive skills adapt the transponder in such a way (for instance by choosing an appropriate protocol) that the range would be limited to approx. the linear distance occupied by the gaming machines.

Therefore, the subject matter of claim 1 does not comply with the requirements as set forth in Articles 33(1) and 33(3) PCT.

- 2.2** The subject matter of independent claims 20 and 24 seeks a similar protection as independent claim 1 does, and does therefore not necessitate a different reasoning as the one presented above.

Therefore, for the same reasons, the subject matter of independent claim 20 and 24 is not inventive as is required by the Articles 33(1) and 33(3) PCT.

- 2.3** The dependent claims do not contain any features which, in combination with the features of any claim to which they refer, meet the requirements of the PCT in respect of inventive step, because their definition comes within the scope of the customary practice followed by the persons skilled in the art, especially as the advantages thus achieved can readily be foreseen. Consequently, the subject matter of these dependent claims also lack an inventive step.

3. Further procedure

- 3.1** In conclusion the present set of claims does not meet the requirements of Article 33(3) PCT in conjunction with Rule 65 PCT, because it's subject matter does not involve an inventive step. Furthermore, it is not at present apparent which part of the application could serve as basis for an amended non-obvious claim. Should the applicant nevertheless regard some particular matter as involving an inventive step, an independent claim including such matter should be filed taking into account the above-mentioned objections.
- 3.2** A new independent claim should be in the two-part form in accordance with Rule 6.3(b) PCT, which in the present case would be appropriate, with those features known in combination from the prior art (document D1) being placed in the preamble (Rule 6.3(b)(i) PCT) and with the remaining features being included in the characterising portion according to Rule 6.3(b)(ii) PCT.
- 3.3** The features of the claim should be provided with reference signs placed in parentheses (Rule 6.2(b) PCT).
- 3.4** The introductory portion of the description should be harmonised with any amended claim set according to Rule 5.1(a)(ii)(iii) PCT.
- 3.5** The dependent method claims refer back to system claim 19. Meant is probably to refer back to independent method claim 20.
- 3.5** The applicant's attention is drawn to the fact that the application may not be amended in such a way that its technical teaching extends beyond the content as filed (Article 34(2)(b) PCT. New statements of problems or advantages would therefore have to be confined to the letter of reply (rather than being incorporated in the description).